
Public Notice

Applicant:

Bill McKinney

Date:

Published:

Expires:

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-CO-R RE: 1999-03080(0) Section: OH 10 and 404

Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).

Mr. Bill McKinney, 25751 Edgecliff Drive, Euclid, Ohio 44132, has requested a Department of the Army Permit (DA) to construct an armor stone groin in association with an armor stone revetment along the shoreline of Lake Erie, located at 25751 Edgecliff Drive, City of Euclid, Cuyahoga County, Ohio.

Department of the Army authorization is required to place approximately 165 cubic yards of fill below Ordinary High Water (OHW) in Lake Erie.

The project consists of the following:

- a. The construction of the new armor stone revetment will be located shoreward from the Ordinary High Water elevation (OHW) of 573.4 feet International Great Lakes Datum (IGLD) 1985. None of this revetment will be located below the level of OHW and, therefore, a DA permit is not required for this portion of the proposed project.
- b. In association with this revetment, the applicant would like to construct a single armor stone groin extending lakeward approximately 50 lineal feet. This groin will have a top width of six feet and a basal width of 34 feet. The height of the groin will be seven feet. It will consist of 4-6 ton armor stone on top of a layer of ODOT 601 "B" stone. This groin will be tied into the proposed shoreline revetment.
- c. A Department of the Army permit was issued on May 12, 1999, for a similar project immediately adjacent (east side) to this proposed groin. This project has not yet been started and involves a 143 lineal feet of shoreline revetment and an armor stone groin (reference DA processing number 98-473-0037(0)). The current project proposal will be tied into this revetment and has been designed by the same contractor. The applicant's stated purpose for this groin is the enhancement and stabilization of the existing sand beach area, while the revetment is for the protection and stabilization of the slope.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Martin P. Wargo, who can be contacted by calling (716) 879-4116, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York, 14207-3199, or by e-mail at: Martin.P.Wargo@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.